

Memorandum



Date: March 1, 2005

To: Honorable Chairman Joe A. Martinez,
and Members, Board of County Commissioners

Agenda Item No. 8(I)(1)(A)

From: George M. Burgess,
County Manager

Subject: New Administrative Order 7-40 pertaining to Community Mentoring Initiative

This item was amended at the February 10, 2005 Internal Management & Fiscal Responsibility Committee to clarify employee protection under workers' compensation, add additional restrictions on the use of administrative leave under the program and provide additional program monitoring and tracking criteria.

RECOMMENDATION

It is recommended that the Board approve the attached Administrative Order establishing rules and procedures governing administrative leave for employees to mentor or participate in volunteer school or community activities. This Administrative Order provides for mentoring of youth (kindergarten and up) and formalizes procedures and approval process for County employees to participate in the program.

BACKGROUND

The State of Florida's adopted Rule 60K-5.032, which allows state employees to use up to one hour of administrative leave per week to participate in the Governor's Mentoring Initiative. Subsequently, the Board of County Commissioners approved Resolution R 86-03, sponsored by Commissioner Bruno A. Barreiro, directing the County Manager to establish rules to allow County employees to use up to one hour of administrative leave per week to participate in school or community volunteer activities.

This Administrative Order:

- Provides guidance to department directors regarding employee participation in the mentoring initiative;
- Establishes procedures for approval, monitoring and reporting on the program and the level of employee participation.

A handwritten signature in black ink, appearing to be "G. Burgess", written over a horizontal line.

Assistant County Manager




MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 1, 2005

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 8(I)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Agenda Item No. 8(I)(1)(A)

Veto _____

3-1-05

Override _____

RESOLUTION NO. _____

RESOLUTION ESTABLISHING ADMINISTRATIVE ORDER
7-40: COMMUNITY MENTORING INITIATIVE, AND
DIRECTING THE COUNTY MANAGER TO OFFER THE
TERMS OF THE ADMINISTRATIVE ORDER TO THE
COUNTY'S COLLECTIVE BARGAINING UNITS

WHEREAS, the Board desires to accomplish the purposes outlined in the accompanying memorandum and administrative order, copies of which are incorporated herein by reference ; and

WHEREAS, the Board wishes to offer the benefits set forth in the attached administrative order to all County employees, but recognizes the need to negotiate this matter with the County's unions first,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board approves the establishment of Administrative Order 7-40: Community Mentoring Initiative.

Section 2. This Board directs the Manager or his representatives to offer the terms of Administrative Order 7-40 to each of the County's collective bargaining units. The administrative order shall become effective as to the members of a bargaining unit as soon as the applicable union accepts it.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto


Dr. Barbara Carey-Shuler
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of March, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. 

Lee Kraftchick

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MIAMI-DADE COUNTY
ADMINISTRATIVE ORDER

COMMUNITY MENTORING INITIATIVE

AUTHORITY:

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter and Resolution No. R-86-03 adopted January 23, 2003.

POLICY:

Each Miami-Dade County employee, upon approval by his/her department director, may use one hour of administrative leave per week, up to a maximum of five hours per month, to volunteer at one or more of the following activities, assuming that such volunteer work is performed during normally scheduled work hours:

- Community volunteer activities such as mentoring, tutoring, guest speaking or providing any related services at the direction of the program or volunteer coordinator;
- Community service programs that meet child, elder or other human needs, including but not limited to, Guardian Ad Litem, Big Brother/Big Sister, Senior Corps and Adult Literacy.

In addition to the one hour of paid administrative leave for volunteer activities, department directors should exercise discretion in granting employees additional administrative leave for travel to and/or from the community service site, provided such travel is kept to a minimum and is performed during the employee's normally scheduled work hours.

RESPONSIBILITY:

Each department director is responsible for implementing departmental standard operating procedures. Departmental standard operating procedures should provide, in conjunction with this Administrative Order, direction on how to apply, monitor, evaluate and report on the performance and effectiveness of the mentoring and administrative leave program. Department directors will be responsible for ensuring the appropriate administration of the department's mentoring program.

PROCEDURE:

1. Miami-Dade County employees who have satisfactory performance and attendance may identify activities that support this community mentoring initiative.
2. An employee must complete and submit the "Application to Participate in Miami-Dade County Community Mentoring Initiative" (attached) to his/her department director (or designee) for approval. The Application must incorporate supporting documentation from the host organization that describes the program and verification of the employee's participation in the mentoring activities.
3. An employee may not be granted leave under this program solely to mentor his or her own child or children, or to do volunteer work related to daycare programs.
4. The department director will review the request for compliance with the mentoring policy and established rules. A careful evaluation must be conducted to determine the impact of the employee's absence on the department's ability to deliver services. It must be emphasized that before granting administrative leave for this program, the needs of the workplace must be given first priority to ensure operations are not adversely affected.
5. Having determined that the request meets the program criteria, the director will notify the employee if leave is granted, and if so provide him/her with a copy of the department's standard operating procedures.
6. The employee, upon approval, may perform the approved activities in support of the community mentoring initiative.
7. Department directors are responsible for submitting quarterly reports to the Employee Relations Department Director. At a minimum, these reports should include: department name, director name, volunteer name, volunteer classification, name of organization where volunteer work is performed, organization's goals and objectives, number of hours volunteered per quarter per employee; description of activities undertaken and the purpose of these activities. The Employee Relations Department will submit a comprehensive report to the Board of County Commissioners on a quarterly basis.
8. The department is responsible for monitoring and tracking departmental mentoring activities to ensure compliance with the policy and rules. Employees will be held accountable for the appropriate use of leave to fulfill mentoring activities. Any misuse of leave privileges will be cause for disciplinary action up to and including dismissal.

9. In October, at the beginning of the fiscal year, each participating employee must re-submit a request and obtain approval from his/her department director in order to continue participating in the mentoring initiative program.
10. Authorization to use administrative leave for the purposes of this program may be rescinded at any time at the department director's sole discretion.
11. A separate application and supporting host organization documentation must be submitted whenever there is a change in the host organization (e.g., school or community organization) with which the employee volunteers, the type of program or type of mentoring activity.
12. Employees must inform their supervisor when they cease to perform personal volunteer service during the approved period.

RULES:

Approval of Activities:

All mentoring activity must be pre-approved by the department director or his/her designee before the employee is allowed to perform those activities in support of the community mentoring initiative.

Approval Criteria:

The department director or his/her designee will determine if the requested activities meet the following criteria:

- Tutoring or mentoring school students (Kindergarten age and older).
- Support of established non-profit community based organizations that are formed to provide services to the community in meeting child, elder or other human needs, for example: elder care services, preparation or delivery of meals, feeding the hungry, adult literacy programs, public health and welfare programs, programs that provide relief of human suffering and poverty, education, job training or other services for disabled persons, coaching for local school or community youth recreational programs, programs designed to build and strengthen the character and competence of our youth, and civic organizations involved in community service.

Before granting administrative leave for the mentoring program, the needs of the workplace must be given first priority. The department director, at his/her sole discretion, is vested with the authority to withdraw authorization to use

administrative leave, as approved under this policy, from any individual or group of individuals.

In general, the use of administrative leave for mentoring or other volunteer activities should be balanced with the needs of the workplace.

Impact on Overtime:

Administrative leave may be credited as hours worked for overtime purposes only if specifically addressed by the applicable provisions of a collective bargaining agreement.

Administrative leave is generally limited to the number of hours necessary to bring the employee to full pay, for example: 40 hours of pay for the work week, the number of hours in the extended pay period, or the number of hours in the scheduled shift. Administrative leave should not result in an employee exceeding 40 hours of pay during the work week, the hours in an approved extended pay period, or the hours in the regular pay period.

Aggregate Use of Administrative Leave:

Since some calendar months have five weeks, a maximum of five hours per month is allowed. Administrative leave may not be accumulated for future use and is not compensable.

However, when special events warrant, and with the approval of the department director or his/her designee and the employee's supervisor, an employee may instead use up to four hours at one time to participate in a specific volunteer activity. No additional administrative leave may be used until a number of weeks has passed equal to the number of aggregate hours used. For example: during the first week of the month, an employee uses three hours of administrative leave for a special mentoring activity. The employee now must wait until the fourth week of the month to resume weekly mentoring.

Mileage Reimbursement/Use of County Vehicles:

The County will not reimburse the employee for actual miles traveled to and from the mentoring activity. County owned vehicles may not be used to travel to and from the mentoring site.

Injury While on Administrative Leave:

In accordance with Section 440, Florida Statutes, the County will not provide workers' compensation coverage for injuries sustained in the performance of personal volunteer activities or traveling to and from these activities. Such

protection including workers' compensation/Liability coverage may be provided by the host organization.

It is the responsibility of each volunteer to determine if the organization for which they volunteer provides them workers' compensation coverage and/or liability coverage.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

George M. Burgess
County Manager



Application to Participate in Miami-Dade County
Community Mentoring Initiative

☐ Original Request

☐ Re-approval Request

Employee Name: _____	
Job Title: _____	Department: _____
Work Phone: _____	Fax #: _____

In accordance to the Miami-Dade County Administrative Leave policy on Community Mentoring Initiative Program, I am requesting administrative leave to:

Hours per month (total hours per month shall not exceed 5 hours): _____

Duration (in months): _____ Frequency: (weekly, monthly etc.) _____

Expected Start Date: ____ / ____ / ____

Attach documentation from the host organization describing the mentoring program and confirming your role and participation as a mentor in the program.

I agree to abide by Miami-Dade County rules and also those of the host institution.

Employee Signature: _____ Date: ____ / ____ / ____

Host Organization

Name of Host Organization: _____

Name of Program: _____

Address/Location of Activity: _____

I attest that _____ is approved to participate in the Mentoring Program managed by this organization.

Contact (Print Name): _____

Phone: _____

Title: _____

Signature: _____ Date: _____

County Approval:

Signature: _____ Date: ____ / ____ / ____

Print Name: _____

Job Title: _____

Form December 04

Application to Participate in Miami-Dade County
Community Mentoring Initiative

- I understand that Miami-Dade County employees who volunteer may be subject to a background check conducted by the Florida Department of Law Enforcement, as required by the school or community organization.
- I understand and agree that volunteer activities are not performed in the course and scope of my employment with Miami-Dade County, that my participation is not in any way required by Miami-Dade County, and that my mentoring activities are for the benefit of the person/entity for which I am providing services. I further understand that any injury suffered while traveling to or from personal volunteer activities and while on leave for such activities is not eligible for County workers' compensation benefits nor is mileage reimbursable under travel and per diem. It is my responsibility to determine if the organization for which I volunteer provides workers' compensation coverage for me.
- As A Miami-Dade County employee, I understand that my participation in the mentoring/tutoring program is dependent upon my department director's approval and that this approval may be rescinded at any time. I understand that my participation is at my department director's discretion and that my involvement will not unduly impact or affect my department or cause an overtime liability. My department director or designee reserves the right to approve, disapprove, or limit release time participation at any time.

Employee name (please print) _____

Employee signature _____ Date _____

Employee classification _____

Supervisor name (please print) _____

Supervisor signature _____ Date _____